

Jandakot Jets Amateur Football Club Inc.

JANDAKOT JETS AMATEUR FOOTBALL CLUB INC. CONSTITUTION



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1. PRELIMINARY

1.1 Name of the Association

The name of the association is Jandakot Jets Amateur Football Club Inc.

1.2 Status of the Constitution

This Constitution is initial version used by the Club. There are no other constitutions, memorandum or articles of association of the Club.

1.3 Objectives and Purposes of the Club

The objectives and purposes of the Club are to:

Provide recreational services for the Local Community

Promote the game of Australian Rules Football

Field at least one Senior side (Open Age) and one Colts side each year

Field teams with the Perth Football League (PFL) or other organised competitions as determined by current circumstances

Provide a safe and friendly environment in which to enjoy and participate in Australian Rules Football

Provide members with convenient access to the social facilities offered by the Club.

The property and income of the Club shall be applied solely towards the promotion of the objectives and purposes of the Club and no part of that property or income may be paid or otherwise distributed, directly or indirectly, to members, except in good faith in the promotion of the objectives and purposes.

1.4 Definitions & Interpretation

In this Constitution, unless the contrary intention appears:

Act means the Associations Incorporation Act (2015)

Annual General Meeting means an annual general meeting of the Association.

Association means Jandakot Jets Amateur Football Club Inc

Club means Jandakot Jets Amateur Football Club Inc

Commissioner means the Commissioner for Fair Trading exercising powers under the Act

Committee or Committee of Management means the Executive Committee, General Committee or Sub-Committee

Constitution means this Constitution of the Association

Department means the government department with responsibility for administering the Act

Executive Committee means the Executive Committee of the Association as referred to in Section 4.1 of this Constitution

General Committee means the General Committee of the Association as referred to in Section 4.2 of this Constitution

Member means a member of the Association

Special General Meeting means a general meeting other than the Annual General Meeting

Sub-Committee means the Sub-Committee of the Association as referred to in Section 4.3 of this Constitution

Words importing the singular shall include the plural and vice-versa and words importing the masculine shall include the feminine and vice-versa.

2. POWERS OF THE ASSOCIATION

The powers conferred on the Association are the same as those conferred by section 13 of the Act, so that subject to the Act and any additions, exclusions or modifications, the Association may do all things necessary or convenient for carrying out its objectives and purposes, and in particular, may:

acquire, hold, deal with and dispose of any real or personal property; open and operate bank accounts; invest its money in any security in which trust monies may lawfully be invested or in any other manner authorised by the rules of the Association; borrow money upon such terms and conditions as the Association thinks fit; give such security for the discharge of liabilities incurred by the Association as the Association thinks fit; appoint agents to transact any business of the Association on its behalf and make payment of fair and reasonable remuneration to those agents; enter into any contract it considers necessary or desirable; act as trustee and accept and hold real and personal property upon trust, but does not have power to do any act or thing as a trustee that, if done otherwise than as a trustee, would contravene the Act or the Constitution; occupy or lease suitable premises and playing grounds to carry out the objectives and purposes of the Association; join appropriate sporting committees or associations and be represented on the committee of management of such; purchase equipment, furniture, plant, chattels and trading stock as required to operate the Association; and Undertake all things otherwise necessary to carry out the objectives and purposes of the Association.

3. MEMBERSHIP OF THE ASSOCIATION

Membership of the Association is open to all persons, subject to the discretion of the Executive Committee. Certain types of Membership types maybe attained by paying the appropriate Membership Fee, as set by the Executive Committee at the commencement of each season.

The Association shall consist of the following type of Members:

- Playing Membership (Playing Member)
- Full Member (Non-Playing Member)
- Social Membership (Social Member)
- Life Membership (Life Member)
- Associated Membership (Team Member)
- Temporary Membership (Temporary Member)

The Executive Committee is empowered to decline membership to any person.

3.1 Playing Membership

Any person participating in any of the Association's teams automatically becomes a Playing Member. A Playing Member is expected to pay an annual membership fee and may also be required to pay a weekly participation fee.

Any non-financial playing member may have the entitlements (whole or part) of their membership de-activated at the discretion of the Executive Committee. Any non-financial

(which includes prescribed Membership fees or monies owing to the Association) will not be permitted to vote at the Association's Annual General Meeting.

Any playing member who leaves the club; through clearance or other methods, will have their membership revoked. This exempts members who temporarily leave the Association through permit or equivalent.

3.2 Full Member (Non-Playing Member)

Any person not participating in any of the Association's teams can become a Full Member.

A Full Member is expected to pay an annual membership fee equivalent to 25% of a Playing Membership fee

Any non-financial full member may have the entitlements (whole or part) of their membership de-activated at the discretion of the Executive Committee. Any non-financial full member (which includes prescribed Membership fees or monies owing to the Association) will not be permitted to vote at any of the Association's meetings including the Annual General Meeting.

3.3 Social Membership

Any person who is not a Playing Member of the Association is entitled to become a Social Member. Social Members will be required to pay an annual membership fee.

Social Members are not entitled to voting rights in the Association.

3.4 Life Membership

Members will be eligible for Life Membership of the Association as a result of:

- 10 Years continuous service as a player or committee member or volunteer; or 7 years continuous service as a player and committee member or player and volunteer
- 10 Years cumulative service as a player, volunteer or Committee member at the discretion of the Executive Committee
- 200 Senior Games (Inclusive of Colts, Reserves & League)
- Approval at the Executive Committee's discretion

Any Playing, Social or Life Member of the Association may nominate another member for Life Membership. The nomination must be received in writing by the Secretary no less than 14 days prior to the prescribed date of the Annual General Meeting.

The Executive Committee shall decide the merit in presenting the Life Membership application to its Members. Any warranted Life Membership nominations will be presented to Members at the Annual General Meeting and will be decided by majority vote.

Life Membership entitles the bearer to an exemption from paying an annual membership fee and free entry to the Club's annual presentation night. Life members are entitled to voting rights in the Association. Additional entitlements may be determined by the Executive Committee from season to season.

3.5 Associated Membership (Team Member)

Any Team, other than an association football team consisting of a minimum of six people participating as an affiliate of the Association is entitled to an associated membership. Each member of an affiliated team is expected to pay an annual membership fee equivalent to a Social Membership as a minimum. An associated member has the equivalent voting rights as a Playing member ie 1 Vote per team.

Any non-financial associated member may have the entitlements (whole or part) of their membership de-activated at the discretion of the Executive Committee. Any non-financial associated member (which includes prescribed Membership fees or monies owing to the Association) will not be permitted to vote at any of the Association's meetings including the Annual General Meeting.

3.6 Temporary Membership

A person who is on any day visiting the club as an umpire or as a player, member or official of another club, or a person assisting a member/s of an official of another club to:

- Engage in a prearranged event with the club
- Hold a prearranged function at the club involving the use of the club's facilities

3.7 Register of Members of the Association

It is the responsibility of the Secretary to ensure the Association Register of Members complies with Section 53 of the Act. As prescribed in the Act; the Register must be up-to date and contain the full name and email address of each Member. The Secretary must also make the Register available for inspection or copy by any member of the Association.

The Register must be kept in hardcopy and soft copy at the Secretary's place of residence or as determined by Members at an Annual General Meeting or Special General Meeting.

There is no limit on the number of Members the Association may have unless determined otherwise by the Executive Committee.

3.8 Termination of Membership of the Association

A Member may cancel his or her membership of the Association by providing written notice to the Secretary. The Member remains liable to pay to the Association the amount of any membership fees unpaid and due at the date of cancellation.

A player clearance by any member is the equivalent to above; except where that clearance is via a short-term permit or equivalent.

No refunds will be issued where a membership is cancelled by the Association, whether the cancellation is at the discretion of either the Executive Committee or the Member.

The Executive Committee at its sole discretion may cancel the membership of any Member who:

- Fails to pay the prescribed membership fees by the deadline determined by the Executive Committee from season to season;

- Is determined by the Executive Committee to have displayed behaviour which is detrimental to the interests of the Association

Any member who has had their membership terminated may apply to the Executive Committee for reinstatement. The Executive Committee at its sole discretion may reinstate the membership of any Member whose membership has previously been cancelled by the Executive Committee.

4. COMMITTEE OF MANAGEMENT

The Association will be managed by a Committee of Management, consisting of an Executive Committee and a General Committee.

4.1 Executive Committee

The control and management of the Association shall be vested in the Executive Committee, which shall comprise of a:

- President
- Vice President
- Secretary
- Treasurer
- Operations Manager
- Registrar

All Executive Committee members must firstly be Playing, Social or Life Members of the Association during the preceding season. Members are elected to the Executive Committee by fellow Members at the Annual General Meeting.

Nominations to the Executive Committee maybe made during the notice period for the Annual General Meeting or when final nominations are requested at the Annual General Meeting. All nominations must be seconded by another Member and the nomination accepted by the nominee.

In the event of two or more nominations to a specific position, the position will be determined by secret ballot by the attending Members. The nominees may be asked to leave the Annual General Meeting to allow the vote to take place.

An Executive Committee member maybe removed from their post, when;

- They resign in writing by letter to the Executive Committee
- Are subject to legal action or found guilty of an offence
- Breaches the Club's Code of Conduct or they are no longer a Member of the Association

In the event of a vacancy on the Executive Committee; or a lack of nominations at an Annual General Meeting, an appointment may be made at the discretion of other Executive Committee members at another time.

An Executive Committee member's term will be from the date of their election until the next Annual General Meeting after their election, where all Executive Committee members shall stand down from office but be eligible for re-election.

4.1.1 Executive Remuneration / Consideration

All Executive positions are granted a free Playing Membership and a Social Membership. If the Executive Member is a spouse of a player, the playing membership may be transferred to that person. It may not be gifted or on-sold.

Should the Executive and their spouse both be non-playing members (Social) – they will also be gifted a free ticket to the Association Presentation Night (value \$100+). This again, can be passed to Spouse, but not gifted or on-sold.

4.1.2 Terms and Executive Committee Restrictions

All Executive Positions

The duration is one (1) year. From Annual General Meeting to the Annual General Meeting of the following year. There is no restriction on the maximum continuous term.

4.1.3 Powers and Duties, Roles and Responsibilities of the Executive Committee

The Executive Committee will have such powers as set out in Section 2 of the Constitution (Powers of the Club). The Executive Committee may delegate such powers to one or more General Committee members as they see fit.

The duties, roles and responsibilities of each Executive Committee member are set out in the Position Descriptions for each position on the Executive Committee. This Position Descriptions may be changed or altered by the Executive Committee from time to time. The responsibilities outlined in these position descriptions may be delegated outside of the Executive Committee as required and determined by the Executive Committee.

4.1.4 Committee Meetings

The Committee shall meet on a monthly basis on either the first Monday or Tuesday of each month or as determined by the sitting Executive Committee. A quorum at the meeting shall consist of the President and Secretary or 50% of the members of the Executive Committee, including the Club President; whichever is appropriate.

Each Executive Committee member shall have one vote except that the President shall have a casting vote in the case of a deadlock. The President must preside at all meetings of the Committee (as Chairperson); in their absence, another member of the Executive Committee shall preside over the meeting as determined by majority vote.

4.1.5 Executive Committee Meetings

Executive Committee Meetings will be scheduled as required by the Executive Committee. No less than three (3) Executive Committee Meetings are to be held annually. A quorum shall consist of no less than 50% of the members of the Executive Committee.

100% of the Executive Committee must be present when voting on any matter proposed at an Executive meeting.

General Committee or Members of the Association are not required to attend the Executive Committee Meeting unless invited by the Executive Committee. An Executive Committee Meeting attendance report will be presented at each Annual General Meeting.

4.1.6 Specific Duties, Roles and Responsibilities of the Secretary

Despite the pro forma Position Description for the Secretary, the Secretary must:

- Keep full and correct minutes of the proceedings of the Committee and the Association, this includes Executive Committee Meetings and the Association's Annual General Meeting
- Comply on behalf of the Association with section 53 of the Act with respect to the register of Members of the Association
- Comply on behalf of the Association with section 35 of the Act by keeping and maintaining in an up-to-date condition the Constitution and, upon the request of a Member, must make available the Constitution for inspection by the Member
- Ensure the current Constitution is available for download from the Association's Website
- Comply on behalf of the Association with section 58 of the Act by maintaining a record of the names and email addresses of the persons who hold the offices of the Association provided for by the Constitution, including all offices held by the persons who constitute the Executive Committee and persons who are authorised to use the common seal of the Club and the names and email addresses of any persons who are appointed or act as trustees on behalf of the Association; and the Secretary must, upon the request of a Member, make available the record for inspection by the Member and the Member may make a copy of or take an extract from the record but will have no right to remove the record for that purpose
- Unless Members resolve otherwise at a general meeting, have custody of all books, documents, records and registers of the Association other than those required to be kept and maintained by the Treasurer.

Other Duties, Roles and Responsibilities may be delegated from time to time by the Executive Committee.

4.1.7 Specific Duties, Roles and Responsibilities of the Treasurer

Despite the pro forma Position Description for the Treasurer, the Treasurer must:

- Be responsible for the receipt of all moneys paid to or received by the Association and must issue receipts for those moneys in the name of the Association
- Pay all such moneys received into such account or accounts of the Association as the Executive Committee may from time to time direct
- Make payments from the funds of the Association with the authority of a general meeting or of the Executive Committee and in so doing ensure that all cheques are signed by the Treasurer and at least one other authorised Executive Committee member
- Comply on behalf of the Association with sections 66, 68 and 70 of the Act with respect to the accounting records of the Association by keeping such accounting records as correctly record and explain the financial transactions and financial position of the Association; keeping its accounting records in such manner as will enable true and fair accounts of the Association to be prepared from time to time; keeping its accounting records in such manner as will enable true and fair accounts of the Association to be

conveniently and properly audited; and submitting to Members at each Annual General Meeting of the Association accounts of the Association showing the financial at the end of the immediately preceding financial year

- Whenever directed to do so by the President, submit to the Committee a report, balance sheet or financial statement in accordance with that direction
- Unless Members resolve otherwise at a general meeting, have custody of all securities, books and documents of a financial nature and accounting records of the Association.

Other Duties, Roles and Responsibilities may be delegated from time to time by the Executive Committee.

4.2 General Committee

The General Committee shall comprise of up to ten persons with no minimum. The following positions are available within the General Committee; each with their own Position Description:

- Football Manager
- Sponsorship Coordinator
- Social Coordinator
- Masters Coordinator

All General Committee members must be Members of the Club. General Committee positions will be elected or nominated by the incoming Executive Committee, and not by Members of the Association at the Annual General Meeting. Where required; this will be by majority vote at or prior to the first meeting of the incoming Executive Committee.

Any Playing, Social or Life Member may nominate another Member for election to the General Committee, either in writing to the Secretary during the notice period for the Annual General Meeting or in person at the Annual General Meeting when such time as final nominations are called for the General Committee. The nominee must signify their willingness to stand for election to the General Committee, either in writing to the Secretary prior to the commencement of the Annual General Meeting or in person when such time as final nominations are called for the General Committee.

Positions and Member Numbers on the General Committee will vary from time to time as determined by the Executive Committee prior to the Annual General Meeting.

A General Committee member's term will be from the date of their election until the next Annual General Meeting after their election, where all General Committee members shall stand down from office but be eligible for re-election.

A General Committee member maybe removed from their post, when;

- They resign in writing by letter to the Executive Committee
- Is convicted of an offence under the Act
- Is permanently incapacitated by mental or physical ill health
- Is absent from more than three (3) consecutive General Committee meetings without cause or apology

- Ceases to be a member of the Association
- Is subject of a resolution passed by a General meeting of Members terminating their appointment to the General Committee

4.2.1 Powers and Duties, Roles and Responsibilities of the General Committee

The Executive Committee may delegate its powers, as set out in rule 2 of the Constitution, to one or more General Committee members as the Executive Committee sees fit.

The duties, roles and responsibilities of each General Committee member are set out in the pro forma Position Descriptions for each position on the General Committee. The pro forma Position Descriptions may be modified at a meeting of the Executive Committee.

4.3 Sub-Committees

Sub-committees may be formed from time to time as required by the Association. The Lead in any Sub-committee must be a member of the Executive Committee, but Sub-committee members need only be Members of the Association. I.e. Membership of the Executive Committee or General Committee is not required.

The purpose of a Sub-committee is to complete a specific task or function. The existence of a Sub-committee may span Annual General Meetings with the relevance or Membership of the Subcommittee determined by the sitting Executive Committee.

4.4 Interests of the Committee

As required under sections 42 and 43 of the Act, a Committee member having any direct or indirect pecuniary interest in a contract, or proposed contract, made by, or in the contemplation of, the Committee (except if that pecuniary interest exists only by virtue of the fact that the member of the Committee is a member of a class of persons for whose benefit the Club is established), must as soon as he or she becomes aware of that interest, disclose the nature and extent of his or her interest to the Committee and not take part in any deliberations or decision of the Committee with respect to that contract. The Secretary must cause every such disclosure made by a member of the Committee to be recorded in the minutes of the meeting of the Committee at which it is made.

5. GENERAL MEETINGS

5.1 Annual General Meeting

The Executive Committee must convene an Annual General Meeting within the time limits provided for the holding of such a meeting by section 50 of the Act, that is, in every calendar year within 4 months after the end of the Association's financial year.

5.2 Special General Meeting

The Executive Committee may at any time convene a Special General Meeting.

The Executive Committee must, within 30 days of receiving a request in writing to do so from not less than 10% of Members, convene a Special General Meeting for a legitimate purpose specified in that request. The Members making a request must state in that request, the purpose for which the Special General Meeting Concerned is required and sign that request. If a Special General Meeting is not convened within the relevant period of 30 days referred to, the Members

who made the request concerned may themselves convene a Special General Meeting as if they were the Committee.

The Association must pay the reasonable expenses of convening and holding the Special General Meeting.

The Association member's registry can't be updated from the calling of the Special General Meeting until after the holding of the Special General Meeting.

5.3 Special Resolution

A special resolution may be moved either at a Special General Meeting or at an Annual General Meeting.

A special resolution has the meaning given by section 51 of the Act as follows:

"A resolution is a special resolution if it is passed by a majority of not less than three-fourths of the members of the association who are entitled under the rules of the association to vote and vote in person or, where proxies or postal votes are allowed by the rules of the association by proxy or postal vote, at a general meeting of which notice specifying the intention to propose the resolution as a special resolution was given in accordance with those rules.

At a meeting at which a resolution proposed as a special resolution is submitted, a declaration by the person presiding that the resolution has been passed as a special resolution shall be evidence of the fact unless, during the meeting at which the resolution is submitted, a poll is demanded in accordance with the rules of the association or, if the rules do not make provision as to the manner in which a poll may be demanded, by at least 3 members of the association present in person or, where proxies are allowed, by proxy. If a poll is held, a declaration by the person presiding as to the result of a poll is evidence of the matter so declared."

5.4 Notice of Annual General Meetings and Special General Meetings

The Secretary must give to all Members not less than 21 days' notice of an Annual General Meeting or a Special General Meeting and that notice must specify:

- When and where the meeting concerned is to be held
- Particulars of the business to be transacted at the meeting concerned and of the order in which that business is to be transacted

The Secretary must give to all Members not less than 21 days' notice of the meeting at which a special resolution is to be proposed. The notice must also include the special resolution to be proposed and the intention to propose the resolution as a special resolution.

The Secretary must give notice by serving it on a Member personally or sending it by post or email to a Member at the address of the Member appearing in the register of Members. When a notice is sent by post or email, sending of the notice will be deemed to be properly effected if the notice is sufficiently addressed and posted or emailed to the Member concerned by ordinary prepaid mail or email.

5.5 Business at an Annual General Meeting

At an Annual General Meeting, the particulars of the business to be transacted and the order in which that business is to be transacted must be as follows:

- First, the consideration of the audit accounts of the Association and reports of the Committee
- Second, the election (or re-election) of Committee members to replace outgoing Committee members
- Third, any other business requiring consideration by the Association.

5.6 Quorum at General Meetings

A quorum at a general meeting shall consist of 10 financial Members present in person.

If a quorum is not met at a General Meeting; the commencement shall be delayed for 30 minutes, after which time if a quorum is still not met; the meeting shall be adjourned for seven days.

In the advent of an adjournment; a new notice for the General Meeting should be raised.

5.7 Proceedings at General Meetings

The President must preside at all general meetings (as Chairperson); in their absence, another member of the Executive Committee shall preside over the meeting as determined by majority vote.

At a general meeting:

An ordinary resolution put to the vote will be decided by a majority of votes cast on a show of hands, subject to a poll being demanded by the Chairperson or by three or more Members present in person or by proxy (such a poll demanded must be taken immediately on that demand being made); and

a special resolution put to the vote will be decided in accordance with section 51 of the Act and as set out in rule 5.3 of the Constitution, subject to a poll being demanded by the Chairperson or by three or more Members present in person or by proxy (such a poll demanded must be taken immediately on that demand being made).

A declaration by the Chairperson of a general meeting that a resolution has been passed as an ordinary resolution at the meeting will be evidence of that fact unless, during the general meeting at which the resolution is submitted, a poll is demanded. If a poll is demanded and taken in respect of an ordinary resolution, a declaration by the Chairperson of the result of the poll is evidence of the matter so declared.

A poll must be taken in such manner as the Chairperson directs.

5.8 Minutes of Meetings of the Association

The Secretary must cause proper minutes of all proceedings of all general meetings and Committee meetings to be taken and then to be entered within 30 days after the holding of each general meeting or Committee meeting, as the case requires, in a minute book kept for that purpose.

The Chairperson must ensure that the minutes taken of a general meeting or Committee meeting are checked and signed as correct by the Chairperson of the general meeting or Committee meeting to which those minutes relate or by the Chairperson of the next succeeding general meeting or Committee meeting, as the case requires.

When minutes have been entered and signed as correct under this rule, they are, until the contrary is proved, evidence that the general meeting or Committee meeting to which they relate was duly convened and held; all proceedings recorded as having taken place at the meeting did in fact take place at the meeting; and all appointments or elections purporting to have been made at the meeting have been validly made.

5.9 Voting Rights of Members of the Association

Subject to these rules, each Member present in person or by proxy at a general meeting is entitled to a deliberative vote.

5.10 Proxies

- (1) Subject to subrule (2), a member who has voting rights may appoint an individual who is a member, with voting rights as his or her proxy to vote and speak on his or her behalf at a general meeting.
- (2) A member with voting rights may be appointed the proxy for not more than 5 other members.
- (3) The appointment of a proxy must be in writing and signed by the member making the appointment.
- (4) The member appointing the proxy may give specific directions as to how the proxy is to vote on his or her behalf.
- (5) If no instructions are given to the proxy, the proxy may vote on behalf of the member in any matter as the proxy sees fit.
- (6) If the committee has approved a form for the appointment of a proxy, the member may use that form or any other form —
 - (a) that clearly identifies the person appointed as the member's proxy; and
 - (b) that has been signed by the member.
- (7) Notice of a general meeting given to an ordinary member under rule 5.4 must —
 - (a) state that the member may appoint an individual who is a member as a proxy for the meeting; and
 - (b) include a copy of any form that the committee has approved for the appointment of a proxy.
- (8) A form appointing a proxy must be given to the secretary before the commencement of the general meeting for which the proxy is appointed.
- (9) A form appointing a proxy sent by post or electronically is of no effect unless it is received by the Association not later than 24 hours before the commencement of the meeting.

6. WAGES AND HONORARIUM PAYMENTS

The Association may; from time to time; make payments for wages in exchange for services or tasks completed. These include;

- The payment of wages for a Trainer or Physiotherapist for the Association members
- The payment of wages for helpers in the Canteen or Bar

- Where possible these payments should be restricted to a Manager who is employed to Operate the Canteen and/or Bar
- Where possible volunteers should be found from the Membership to avoid high payments
- The payment of an honorarium to coaches of the Association
- Where possible this should include other items of value to reduce the cash component; i.e. training courses, function tickets, etc
- Coaching payments should consist of a performance component
- The payment of an honorarium to the Football Manager of the Association
- A payment of between \$0 and \$2000 will be made to the Football Manager of the Association at the end of the season; as determined by the Executive committee. The determination will be dependent on the performance throughout the season.

7. ASSOCIATION PROPERTY AND CLUB NAME

7.1 Association Name

The club name can be used on grants and sponsorship applications at the approval of the committee. Any equipment, monies or materials granted in this situation becomes an asset of the Association.

7.2 Association Assets

Is the equipment or items purchased by the club with club funds for use by the Association, or equipment gifted, granted or donated to the Association by use or representation of the club name. This includes footballs, medical equipment and canteen and bar items.

Gifts or disposals of club assets can only be made by agreement with either the Executive of the club or through a passed motion at a committee meeting of the Association. The exclusion to this is the accidental damage beyond repair or destruction of equipment which results in disposal – in this situation the appropriate responsible committee member should be made aware for reporting purposes.

7.3 Asset Register

At the end of every season an Asset Register update will occur to ensure that stock levels are known. This should include; but not be limited to:

- Playing Jumpers and related equipment
- Unsold Merchandise
- Significant Assets with values of > \$100

Where possible – the condition of Assets that are used should be recorded so that action can be taken to recover/repair if required.

8. COMMON SEAL OF THE ASSOCIATION

The Common seal of the Club shall be kept in the custody of the Secretary.

The Common seal shall not be affixed to any instrument except by authority of the Executive Committee; and must be witnessed by two members of the Executive Committee.

9. INSPECTION OF RECORDS OF THE ASSOCIATION

A Playing, Social or Life Member of the Association may at any reasonable time inspect without charge the books, documents, records and securities of the Association.

10. ALTERATIONS TO THE CONSTITUTION

The Association may alter or rescind the rules contained in this Constitution or make rules additional to the rules contained in this Constitution, in accordance with the procedure set out in sections 30, 31 and 33 of the Act.

These alterations may be made at an Annual General Meeting or at a Special General Meeting called for that purpose. The resolution for alteration requires 75% acceptance by attending Members of the Association.

Modifications to the Constitution must be supplied to the Club Secretary no less than 28 days before the scheduled meeting and should be distribution (or made available) to Club Members no less than 14 days before said Meeting.

Membership of the Association binds that Member to the Rules and Conditions set out in this Constitutional Document. The level of bind is that of a signed and sealed agreement to be bound by these rules and all their provisions.

11. LIQUOR LICENSING PROVISIONS

The Association Liquor Licensing Nominee must be a current member of the Executive Committee. Alcohol must be dispensed by an appropriately licensed Member of the Club in accordance with appropriate laws and statutes of the operating entity.

- Includes but not exclusive of Age, Intoxication Levels and Licensed Areas
- Alcohol must be sold in accordance with Sporting Body regulations
- Includes but not exclusive of Time Restrictions and Alcohol-Free events
- Alcohol must be purchased from source as dictated by the Executive Committee in conjunction with Licensing and Sponsorship deals

12. COMMUNITY CONTRIBUTIONS

The Association contributes to other Clubs/Associations and the Community in at least the following ways.

12.1 Disadvantaged Sponsorship

The Association contributes to other Clubs/Associations and the Community in at least the following ways:

- Assist the affiliated Junior Football Club in its fund raising events where possible
- Purchase goods and services from local businesses where practicable

13. VOTE COUNTING / END OF SEASON AWARDS

At the end of each season a rewards presentation will be held for the Association. Some of these awards will be performance based; for example:

- League Grade: Best & Fairest.

To achieve the Best & Fairest 3 Voting Slips will be handed out for each round to different people. Each slip should be filled in with a 5, 4, 3, 2, 1 vote. 5 Votes is the equivalent of Best on Ground.

13.1 Vote Counting

When votes are counted for all grades, a member of the club's Executive Committee must be present at all times.

14. NOT-FOR-PROFIT CLAUSE

The assets and income of the Association shall be applied solely in furtherance of its abovementioned objects and no portion shall be distributed directly or indirectly to the members of the Association except as bona fide compensation for services rendered or expenses incurred on behalf of the Association.

15. WINDING UP OF THE ASSOCIATION

The Association may be dissolved, amalgamated or wound up by a special resolution carried by members present at any general meeting of members

- "Any dissolution, amalgamation or winding up resolution must be passed by three fourths (3/4) majority of the attending and voting members
- Proxy voting is not acceptable in this special resolution
- In the event of the pass of a winding up resolution; any funds remaining after all expenses and/or outstanding debts have been paid shall be distributed to the Jandakot Jets Junior Football Club Inc. or an acceptable charity under the ACT."

The recipient of any distribution must be another Association with similar purposes which is not carried on for the profit or gain of its individual members.

16. FINANCIAL YEAR

The Financial Year of the Association is the 12-month period starting on 1 November.

17. RESOLVING DISPUTES

17.1 Application of disputes procedure

The disputes procedure set out in this clause applies to disputes under this Constitution between: (a) a Member and another Member or Members; and (b) a Member or Members and the Association.

17.2 Disputes procedure

- a) For all disputes, the parties to the dispute must meet and discuss the matter in dispute, and, if possible, resolve the dispute within 14 days after the dispute comes to the attention of all of the parties
- b) If the parties are unable to resolve the dispute within the 14 day period specified in clause 17.2(a), either party may initiate the dispute resolution procedure by giving a

written notice to the Club Secretary identifying the parties to the dispute and the subject of the dispute.

- c) Subject to clause 17.2(e), within 28 days of receipt of a notice under clause 17.2(b), a Executive Committee meeting must be convened to determine the dispute.
- d) The Club Secretary must give the parties to the dispute at least 7 days' prior written notice of the date, time and place of the Executive Committee meeting. The notice must inform the parties that they (or their Delegate) may attend the Executive Committee meeting and will be given a full and fair opportunity to make oral and written submissions to the Board.
- e) If the Club is party to the dispute, any party to the dispute may request the Club Secretary to refer the dispute to mediation in accordance with clause 17.3, in which case the dispute must not be determined by the Executive Committee.
- f) At the Executive Committee meeting, the Executive must:
 - i. give each party to the dispute, or the party's Delegate, a full and fair opportunity to make oral submissions and must give reasonable consideration to any written submissions; and
 - ii. determine the dispute.
- g) Written notice of the Executive Committee's decision regarding the dispute must be given to all parties to the dispute within 7 days after the Executive Committee meeting.
- h) Any party to the dispute may request the Club Secretary to refer the dispute to mediation in accordance with clause 17.3 within 14 days of receipt of the notice under clause 17.2(g).

17.3 Mediation

- a) Where a dispute is referred to mediation under this Constitution, a mediator must be appointed by agreement between the parties to the dispute within 28 days of the referral.
- b) Failing agreement between the parties, the Executive Committee must appoint a mediator. The mediator may be a Member or former Member but must not have any personal interest in the subject matter of the dispute or be biased in favour of or against any party to the mediation.
- c) Each party must meet its own costs of and in connection with the mediation.
- d) The mediation must be commenced within 28 days after the mediator has been appointed and must be concluded within 1 month after the mediator has been appointed, unless otherwise agreed between the parties to the dispute.
- e) The parties to the dispute must, in good faith, attempt to settle the dispute by mediation and must comply with requests by the mediator, including requests to provide evidence, attend meetings and pay the mediator's fees.
- f) Unless otherwise agreed between the parties, the parties must exchange written statements of the issues that are in dispute between them and supply copies to the mediator at least 5 days before the mediation session.
- g) The mediator, in conducting the mediation, must:
 - (i) give the parties to the mediation process every opportunity to be heard;
 - (ii) allow due consideration by all parties of any written statement submitted by any party; and
 - (iii) ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.
- h) The mediator must not determine the dispute.

- i) The mediation must be confidential and without prejudice.
- j) If the mediation process does not result in the dispute being resolved, the parties may apply to the State Administrative Tribunal (or any other appropriate body) to determine the dispute in accordance with the Act or otherwise at law.

17.4 If dispute resolution results in decision to suspend or expel being revoked

If a disputes procedure under this Clause 17 takes place concerning the revocation of a Member's membership and the result of the disputes procedure is that the Member's membership is reinstated, that revocation decision does not affect the validity of any decision made at an Executive Committee meeting or General Meeting.